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06 UNITED STATES DISTRICT COURT
07 WESTERN DISTRICT OF WASHINGTON
08 AT SEATTLE

09 SHAWN CASEY,

10 Plaintiff,

11 v.

12 KING COUNTY SHERIFF
SUE RAHR, *et al.*,

13 Defendants.

Case No. C11-0982-RAJ-MAT

ORDER STRIKING PLAINTIFF'S
MOTION FOR PRELIMINARY
INJUNCTION AND GRANTING
PLAINTIFF'S MOTION FOR
EXTENSION OF TIME

14 On June 10, 2011, plaintiff submitted to the Court for filing a civil rights complaint
15 under 42 U.S.C. § 1983. Plaintiff alleged in his complaint that he had been sexually assaulted
16 by six unnamed corrections officers in May 2009. Plaintiff identified King County Sheriff Sue
17 Rahr as a defendant as well as six individuals identified only as "John Doe." On July 20, 2011,
18 this Court issued an Order declining to serve plaintiff's complaint and granting him leave to
19 amend his complaint to correct certain specified deficiencies. Among the deficiencies noted in
20 that Order were that plaintiff had not set forth any facts demonstrating that Sheriff Rahr
21 personally participated in causing plaintiff harm of constitutional dimension. The Court
22 further noted that, aside from Sheriff Rahr, plaintiff identified only six "John Doe" defendants

01 in this action who were not identified with sufficient specificity to permit the Court to effectuate
02 service and thereby obtain jurisdiction over these individuals.

03 On July 26, 2011, plaintiff submitted to the Court for consideration a motion that he
04 identified as one for preliminary injunction. However, a review of that motion indicates that it
05 is, in effect, a discovery motion as plaintiff requests therein that Sheriff Rahr be compelled to
06 produce documents which will allow plaintiff to identify the six "John Doe" defendants.
07 Regardless of whether plaintiff's motion is construed as one for preliminary injunctive relief or
08 one for discovery, the motion is premature as plaintiff has yet to submit a serviceable complaint
09 to the Court.

10 On August 18, 2011, plaintiff submitted to the Court for consideration a motion seeking
11 an extension of time to file his amended complaint in accordance with this Court's July 20,
12 2011 Order. Plaintiff appears to indicate therein that he requires the additional time because
13 he has yet to receive a response to his motion for preliminary injunction and that he needs to
14 obtain the names of the defendants before he can proceed. As noted above, plaintiff's motion
15 seeking the Court's assistance in obtaining the names of the defendants is not a viable motion at
16 this juncture. The Court will nonetheless grant plaintiff some additional time to obtain the
17 information he requires through some other means.

18 Accordingly, the Court does hereby ORDER as follows:

19 (1) Plaintiff's motion for a preliminary injunction (Dkt. No. 10) is STRICKEN as
20 premature.

21 (2) Plaintiff's motion for an extension of time (Dkt. No. 11) is GRANTED.
22 Plaintiff is directed to file his amended complaint not later than October 7, 2011.

01 (3) The Clerk is directed to send copies of this Order to plaintiff and to the
02 Honorable Richard A. Jones.

03 DATED this 2nd day of September, 2011.

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06 Mary Alice Theiler
United States Magistrate Judge